

# LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

630 Camp Street, New Orleans, LA 70130  
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Telephone: (504) 568-6820

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Writer's Direct Dial:

(504) \_\_\_\_\_

May 21, 2018

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RE: Request for Exception—  
Relationship Between SP and PA

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Dear :

The Louisiana State Board of Medical Examiners considered and denied your client's request<sup>1</sup> for an exception to its rule that prohibits a physician from being employed by or contracted to a physician assistant ("PA") for whom he or she serves as a supervising physician ("SP").<sup>2</sup> The Board asked that I acknowledge your letter and formally respond to your request.

As noted during the Board's discussion of the issue, the relationship between an SP and a PA is not designed to be one of equal standing. By law, that is, a PA may practice only under the supervision of a physician registered with the Board as an SP.<sup>3</sup> Therefore, any arrangement under which an SP and PA practice should be structured so as to preserve the autonomy and authority of the SP to exercise his or her independent medical judgment with respect to the supervision of the PA and the services that the PA renders.

The business arrangement you described, *albeit* governed by regulations promulgated by the Louisiana Department of Health and Hospitals, does not, from the information provided, provide us with sufficient information to determine your role in the operation of the business which you co-own. As we understand, the governing board and/or administrator would be in a position to terminate the SP if disagreements arise. However, we are unable to ascertain from the description you provided whether, and the extent to which through your co-ownership of the business, you would be entitled to serve in one of these roles or otherwise be in a position to control and direct the manner in which the SP provides supervision, thereby circumscribing an SP's independent medical judgment, interposing the PA in the physician-patient relationship, and interfering with the SP's ability to fulfill the obligations and responsibilities imposed by law and the Board's rules.

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<sup>1</sup> Corr., to La. St. Bd. Med. Exam. (Mar. 15, 2018).

<sup>2</sup> La. Adm. C. 46XLV.1508A.3.

<sup>3</sup> R.S. 37:1360.22, *See*: Definitions, "physician assistant," and "supervising physician." *See also*: R.S. 37:1360.31.


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the Board's rules. Therefore, based on the information presented, the Board does not believe that an exception to its rules is warranted.

Very truly yours,

**LOUISIANA STATE BOARD OF  
MEDICAL EXAMINERS**

By:

A handwritten signature in blue ink, appearing to read "V. Culotta Jr.", is written over a horizontal line.

Vincent A. Culotta, Jr., M.D  
*Executive Director*